

RICHARD A. JONES (CA Bar 135248)
COVINGTON & BURLING
One Front Street
San Francisco, California 94111
Telephone: (415) 591-6000
Fax: (415) 591-6091

E. EDWARD BRUCE (*pro hac vice*)
STUART C. STOCK (*pro hac vice*)
ROBERT A. LONG (*pro hac vice*)
KEITH A. NOREIKA (*pro hac vice*)
COVINGTON & BURLING
1201 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone: (202) 662-6000
Fax: (202) 662-6291

Attorneys for Plaintiffs

JUDY L. HARTLEY (CA Bar 110628)
DEPARTMENT OF CORPORATIONS
State of California
320 West 4th Street, Ste.750
Los Angeles, California 90013-2344
Telephone: (213) 576-7604
Fax: (213) 576-7181

DOUGLAS GOODING (CA Bar 083518)
DEPARTMENT OF CORPORATIONS
State of California
7 Stevenson Street, Suite 2100
San Francisco, California 94105
Telephone: (415) 972-8548
Fax: (415) 972-8571

Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NATIONAL CITY BANK OF INDIANA and
NATIONAL CITY MORTGAGE CO.,

Plaintiffs,

versus

DEMETRIOS A. BOUTRIS,
in his official capacity as Commissioner of
the California Department of Corporations,

Defendant.

[illegible]

) 2:03-cv-00655-GEB-JFM

) **[PROPOSED] FINAL JUDGMENT**
) **AND PERMANENT INJUNCTION**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Judgment is entered permanently enjoining the Commissioner and agents acting on behalf of the Commissioner from exercising visitorial powers over plaintiffs; further judgment is entered in favor of plaintiffs on their Supremacy Clause preemption claims under

1 the National Bank Act and its implementing regulations and in favor of the Commissioner on
2 plaintiffs' claims under the Depository Institutions Deregulation and Monetary Control Act of
3 1980, 42 U.S.C. § 1983 and 42 U.S.C. § 1988.

4 IT IS SO ORDERED.

5 Dated: September 23, 2005
6
7

8 /s/ Garland E. Burrell, Jr.

9 GARLAND E. BURRELL, JR.

10 United States District Judge
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28